

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

United States of America,	)	CR. NO. 4:96-312 (CMC)
	)	
v.	)	<b>OPINION and ORDER</b>
	)	
Steven Singletary, USM #92120-071,	)	
	)	
Defendant.	)	
_____	)	

This matter is before the court on Defendant's motion to correct sentence under 28 U.S.C. § 2255, arguing that in light of the Supreme Court's holding in *Johnson v. United States*, \_\_ U.S. \_\_, 135 S.Ct. 2551 (2015), Defendant is no longer an armed career criminal and should be resentenced. ECF No. 124. On July 14, 2016, the Government filed a response in support, agreeing that Defendant's § 2255 motion should be granted and he should be resentenced without the Armed Career Criminal enhancement. ECF No. 130.

The court **grants** the motion for relief under 28 U.S.C. § 2255. The Judgment Order as to Steven Singletary in CR 4:96-312 filed June 12, 1997, is hereby **vacated**, and this matter is set for resentencing on **Wednesday, September 14, 2016, at 3:00 p.m.**<sup>1</sup>

**IT IS SO ORDERED.**

s/ Cameron McGowan Currie  
CAMERON MCGOWAN CURRIE  
Senior United States District Judge

Columbia, South Carolina  
July 20, 2016

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<sup>1</sup> Defendant is not currently in federal custody, but is in SCDC custody at Allendale Correctional Institution under the name Stevie L. Singletary (inmate #00189891).